

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

ANDREW LONGUSKI,

Plaintiff,

v

RYAN AKERS and GARY DEMERS,

Defendants.

NO. 2:19-190

HON. PAUL L. MALONEY

MAG. MAARTEN VERMAAT

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**D/SGT GARY DEMERS' MOTION FOR DISMISSAL AND FOR
SUMMARY JUDGMENT BASED ON QUALIFIED IMMUNITY**

Michigan State Police D/Sgt. Gary Demers (pronounced 'DeMars'), defendant herein, by Dana Nessel, Attorney General for the State of Michigan, and James T. Farrell, Assistant Attorney General, moves under FRCivP 56 for summary judgment based on the merits and under the doctrine of qualified immunity.

The undersigned has had an email exchange with plaintiff's counsel seeking concurrence in the relief sought in this Motion. Ms. Gafkay would not consent to dismiss D/Sgt. Demers from the case.

WHEREFORE, D/Sgt. Demers respectfully requests that this Motion be granted, and that the Court dismiss him from this case.

Respectfully submitted,

DANA NESSEL
Attorney General

/s/ James T. Farrell
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Dated: November 16, 2020

CERTIFICATE OF SERVICE

I hereby certify that on **November 16, 2020**, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such. I also mailed the foregoing paper via US Mail to all non-ECF participants.

/s/ Terri J. Davis
Terri J. Davis, Legal Secretary
Michigan Dept. of Attorney General
MDOC Division